

PATENT

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DIVISION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter Moeller-Jensen Examiner: John B. Sotomayor 2005 SEP -2 PM 3:43
Serial No.: 10/601082 Group Art Unit: 3662 US PATENT & TRADEMARK
Filed: June 20, 2003 Docket No.: 01750.0001-US-01 OFFICE
Title: METHOD AND APPARATUS FOR MONITORING AND MEASURING
OIL SPILLS

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 08/30/2005

DAVID H. CARROLL
Name

Signature

REFUND REQUEST UNDER 37 C.F.R. §1.26

Mail Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests a refund under 37 C.F.R. §1.26. On May 26, 2005, Deposit Account Number 50-1038 was charged a total of \$375.00 for independent claims in excess of three (code 2201) and claims in excess of 20 (code 2202). These charges relate to serial number 10/601,082, our reference number 01750.0001-US-01. A copy of the May 2005 Deposit Account Statement is enclosed as Appendix A. Applicant believes the \$375.00 charge was made in error and requests a refund. The details follow.

The above-identified application was filed with a total of 101 claims, six of which were independent. In a response to the first Office action, applicant cancelled claims 1-22 and added two new dependent claims. A total of 80 claims remained, five being independent. Following the submission of a Request for Continued Examination (RCE), a Preliminary Amendment was filed on May 18, 2005. Claims 1-22 remained cancelled, and new claims 103-113 were added. Of the 11 new claims, only claim 103 was independent. Ninety-one claims were now pending with 6 being independent.

As indicated below, applicant's representative believes the Office calculated the additional charges based on the extra claims filed in the Preliminary Amendment without considering the fact 22 claims had previously been cancelled.

11 (total new claims) x 25 (small entity fee for claims in excess of 20) = 275; and
1 (new independent claim) x 100 (small entity fee for each extra independent claim) = 100
Total: 375

Attached herewith (Appendix B) as evidence in support of the above are the following:

- the Filing Receipt mailed June 20, 2003;
- a copy of the Preliminary Amendment as filed on May 18, 2005
- a copy of the related Fee Transmittal for FY 2005 showing the highest number of claims previously paid for as 101 and the highest number of independent claims paid for as three.

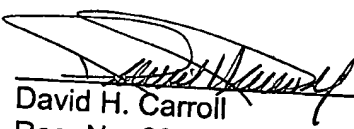
Applicant respectfully requests that the amount of \$375.00 be refunded (\$100.00 for independent claims in excess of three and \$275.00 for claims in excess of 20). The refund may be made directly to the Deposit Account Number 50-1038 for Altera Law Group, LLC.

Respectfully submitted,

Altera Law Group, LLC
Customer No. 22865

Date: 08/30/2005

By:


David H. Carroll
Reg. No. 29,903
DHC/mar

APPENDIX A



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and
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payable to Director of Patents & Trademarks.

ALTERA LAW GROUP
JUDY BOURASSA
6500 CITY WEST PARKWAY
SUITE 100
MINNEAPOLIS MN 55344

FINA

Account No.	501038
Date	5-31-05
Page	1

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
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5	26	05	4	10601082	1750.1-WO-01	2201	100.00	1618.14
5	26	05	5	10601082	1750.1-WO-01	2202	275.00	1343.14
5	26	05	59	11135710	01770.0008-US-U1	2202	350.00	993.14
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AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					3588.14	3449.00	0.00	139.14

*** O.D. INDICATES OVERDRAWN

APPENDIX B



UNITED STATES PATENT AND TRADEMARK OFFICE

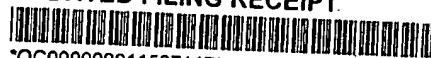
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/601,082	06/20/2003	3662	1308	01750.0001-US-01	14	101	6

22865
 ALTERA LAW GROUP, LLC
 6500 CITY WEST PARKWAY
 SUITE 100
 MINNEAPOLIS, MN 55344-7704

CONFIRMATION NO. 6903

UPDATED FILING RECEIPT



OC000000011507117

Date Mailed: 12/16/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Peter Moeller-Jensen, Vejle, DENMARK;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 09/15/2003

Projected Publication Date: 12/23/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Method and apparatus for monitoring and measuring oil spills

Preliminary Class

342

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete If Known

Application Number 10/601,082
Filing Date June 20, 2003
First Named Inventor Peter Moeller-Jensen
Examiner Name John B. Sotomayor
Art Unit 3662
Attorney Docket No. 01750.0001-US-01

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 50-1038 Deposit Account Name: Altera Law Group, LLC
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims		
101 - 20 or HP = 0 x 25 = 0		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims		
6 - 3 or HP = 0 x 100 = 0		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

100 - 100 = 0 / 50 = 0 (round up to a whole number) x 250 = 0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Fees Paid (\$)

SUBMITTED BY

Signature

Name (Print/Type)

David H. Carroll

Registration No. 29,903
(Attorney/Agent)

Telephone (952) 253-4135

Date May 18, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APPLICATION SERIAL NO. 10/601,082

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Moeller-Jensen	Examiner:	John B. Sotomayor
Serial No.:	10/601082	Group Art Unit:	3662
Filed:	June 20, 2003	Docket No.:	01750.0001-US-01
Title:	METHOD AND APPARATUS FOR MONITORING AND MEASURING OIL SPILLS		

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE, FAX NO. (703) 872-9306 ON MAY 18, 2005.

Michele A. Read

NAME OF PERSON SIGNING THIS CERTIFICATE

SIGNATURE

Michele A. Read

PRELIMINARY AMENDMENT AND CORRESPONDENCE
MAKING EXAMINER INTERVIEW OF RECORD

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Paper contains a preliminary amendment following a Request for Continued Examination filed March 3, 2005, and also contains a statement making an examiner interview of record. Amendments to the claims are reflected in the listing of claims that begins on the next page. Remarks begin on page 18. This Reply contains no amendments to the specification or drawings. Further examination and reconsideration are respectfully requested.

AMENDMENTS TO THE CLAIMS

Kindly amend claims 52-53, 57 and 62-63, and add new claims 103-113, as shown in the following listing of claims. The following listing of claims will replace all prior versions and listing of claims in the application.

Listing of Claims

Claims 1-22 (canceled)

Claim 23 (original): A method of determining the presence of an oil spill, comprising:

remotely monitoring a water surface at a first location for the presence of oil to produce first location monitoring data;

remotely monitoring a water surface at a second location for the presence of oil to produce second location monitoring data;

transmitting the first location monitoring data to a receiver at the second location; and

transmitting information related to the first and second location monitoring data to a control station.

Claim 24 (original): A method as recited in claim 23, wherein remotely monitoring the water surface at the first location comprises monitoring the water surface with a microwave radiometer (MWR) unit and with at least one additional sensor.

Claim 25 (original): A method as recited in claim 24, wherein the at least one additional sensor includes a radar unit.

Claim 26 (original): A method as recited in claim 24, further comprising determining whether oil is present on the water surface at the first location, using data from the MWR unit and the at least one additional sensor.

Claim 27 (original): A method as recited in claim 26, wherein transmitting the first location monitoring data includes transmitting raw detection data from the MWR unit and the at least one additional sensor after determining that oil is present on the water at the first location.

Claim 28 (original): A method as recited in claim 26, wherein transmitting the first location monitoring data includes transmitting sensor calibration data after determining that oil is not present on the water surface at the first location.

Claim 29 (original): A method as recited in claim 24, further comprising fusing detection data from the MWR unit and from the at least one additional sensor and transmitting the fused sensor data from the first location to the second location.

Claim 30 (original): A method as recited in claim 29, wherein fusing the detection data includes fusing the detection data at the pixel level.

Claim 31 (original): A method as recited in claim 29, wherein fusing the detection data includes fusing the detection data at the feature level.

Claim 32 (original): A method as recited in claim 23, wherein the first location is at a marginal oil field.

Claim 33 (original): A method as recited in claim 23, wherein the second location is at a main oil platform.

Claim 34 (original): A method as recited in claim 23, wherein remotely monitoring the water surface at at least one of the first and second locations includes monitoring from a height in the range 10 m - 300 m above the water level.

Claim 35 (original): A method as recited in claim 23, wherein remotely monitoring the water surface at at least one of the first and second locations includes monitoring from a height in the range 10 m - 100 m above the water level.

Claim 36 (original): A method as recited in claim 23, wherein remotely monitoring the water surface at at least one of the first and second locations includes monitoring from a height in the range 30 m - 300 m above the water level.

Claim 37 (original): A method as recited in claim 23, wherein remotely monitoring the water surface at at least one of the first and second locations includes monitoring from a height in the range 30 m - 100 m above the water level.

Claim 38 (original): A method as recited in claim 23, wherein transmitting information related to the first and second location monitoring data to a control station comprises transmitting the information via satellite.

Claim 39 (original): A method as recited in claim 23, further comprising aggregating the transmitted information related to the first and second location monitoring data with additional environmental information and presenting the aggregated information to a user.

Claim 40 (original): A method as recited in claim 39, wherein the additional environmental information includes at least one of a map, weather information and simulation information.

Claim 41 (original): A method as recited in claim 23, further comprising transmitting information derived from the information related to the first and second location monitoring data from the control station to a user.

Claim 42 (original): A method of detecting an oil spill at an offshore location, comprising:

receiving first detection data from a microwave radiometer (MWR) unit mounted on a fixed offshore platform;

receiving second detection data from at least an additional sensor mounted on the fixed offshore platform;

combining the first and second detection data to form fused detection data; and

determining whether oil is present on the water surface at the offshore location based on the fused detection data.

Claim 43 (original): A method as recited in claim 42, wherein the at least one additional sensor is a radar unit.

Claim 44 (original): A method as recited in claim 42, further comprising determining whether oil is present on the water surface at the offshore location based on the fused detection data at the fixed offshore platform.

Claim 45 (original): A method as recited in claim 42, further comprising determining whether oil is present on the water surface at the offshore location based on the fused detection data at a site different from the fixed offshore platform.

Claim 46 (original): A method as recited in claim 42, at least one of the MWR unit and the at least one additional sensor being mounted at a height in the range 10 m to 300 m above the water surface.

MAY 18 2005

PTO/GB/17 (12-04-02)

Approved for use through 07/31/2005. OMB 051-0003
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

(Under the Patent and Trademark Act of 1980, no person can receive an award in a division of an invention unless it is shown to be a new and useful invention.)

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (5) 0

Complete If Known

Application Number	10/601,082
Filing Date	June 20, 2003
First Named Inventor	Peter Moeber-Jensen
Examiner Name	John B. Gottemayer
Art Unit	3882
Attorney Contact No.	01750.0001-US-01

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☒ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 60-1038 Deposit Account Name: Altera Law Group, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Each claim over 20 (including Reissues)
Each independent claim over 3 (including Reissues)
Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
101	20 or HP = 0	25	0

HP = Highest number of total claims paid for, if greater than 20.

Independent Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
0	3 or HP = 0	100	0

HP = Highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
100	0	0	0	0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

15/26/2005

00000003 501038

Registration No. 29,803
(Attorney/Agent)

Telephone (602) 263-4135

Date May 18, 2005

Name (Print/Type) David H. Caroll

11 FC:2201

12 FC:2202

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